IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION No. 7:25-CV-1084-D

DEREK WRAGGE,)	
	Plaintiff,)	
v.)	ORDER
NORTH CAROLINA,)	
	Defendant.)	

On June 10, 2025, Derek Wragge ("Wragge" or "plaintiff"), proceeding <u>pro se</u>, filed a complaint [D.E. 1] and motion to proceed in forma pauperis [D.E. 2]. On June 11, 2025, pursuant to 28 U.S.C. § 636(b)(1), the court referred the matter to United States Magistrate Judge Swank for a memorandum and recommendation on Wragge's motion to proceed in forma pauperis and for frivolity review [D.E. 5]. On June 12, 2025, Magistrate Judge Swank issued a memorandum and recommendation ("M&R") [D.E. 6]. In the M&R, Magistrate Judge Swank recommended that the court deny Wragge's motion to proceed in forma pauperis. <u>See id.</u> at 1-3. Magistrate Judge Swank also recommended that the court direct the clerk to close the case if Wragge failed to pay the filing fee by July 14, 2025. <u>See id.</u> at 2.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." <u>Diamond v. Colonial Life & Accident Ins. Co.</u>, 416 F.3d 310, 315 (4th Cir. 2005) (cleaned up); <u>see</u> 28 U.S.C. § 636(b). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." <u>Diamond</u>, 416 F.3d at 315

(quotation omitted). If a party makes only general objections, de novo review is not required. See

Wells v. Shriners Hosp., 109 F.3d 198, 200 (4th Cir. 1997). In "order to preserve for appeal an

issue in a magistrate judge's report, a party must object to the finding or recommendation on that

issue with sufficient specificity so as reasonably to alert the district court of the true ground for the

objection." Martin v. Duffy, 858 F.3d 239, 245 (4th Cir. 2017) (quotation omitted); see United

States v. Midgette, 478 F.3d 616, 622 (4th Cir. 2007).

Neither party objected to the M&R. Therefore, the court reviews for clear error. The court

has reviewed the M&R and the record. There is no clear error on the face of the record. See

Diamond, 416 F.3d at 315.

In sum, the court ADOPTS the conclusions in the M&R [D.E. 6], and DENIES Wragge's

motion to proceed in forma pauperis. Wragge has failed to pay the filing fee before the

deadline in the M&R. Accordingly, the clerk SHALL close the case.

SO ORDERED. This 15 day of July, 2025.

AMES C. DEVER III

United States District Judge